NOT A RACE PROSCRIPTION. THE OBJECTIONS BASED UPON CONDUCT AND NOT UPON RACE OR RELIGION-A TALK WITH W. C.

BURNAP. The managers of the Manhattan Beach Hotel have had many complaints-sarcastic, facetious and serious-against the Israelits who frequent that popular resort, and have been greatly puzzled to know what to do with them as a class. Some wag lately recommended them to put over their door the legend" God bless our Boarding-House! Jerusalem, my happy home." Another facctious correspondent propounded the coundrum, fashioned after the manner of the "Horrors" burlesque of "Uncle Tom's Cabin." by asking "Uncle Tom, where is the new Jerusalem t" and varying the answer " in Chatham-st.," by substituting "At Manhatian Beach." Complaints of the occupancy of scate at tables after the conclusion of dinner waen hun dreds were waiting for places were without number, and in almost every instance the persons found loitering in the dance hall to hear the music, although seats were prepared in trent of the stand for all such, were found Israelites. This grew to be finally not only a great nuisance but a serious drawback to the business of the hotel; and the necessity of remedying this particular objection to the class was what eventually forced

the action taken yesterday by Mr. Corbin.

In conversation with a TRIBUNE reporter yesterday
Mr. W. C. Burnap, one of the proprietors of Manhattan Beach Hotel, said:

"We are prepared to entertain any well-behaved, respeciable and clean persons of any sect or religion, irrespective of race. We prescribe nobody on account of

"You are not then as radical as Mr. Corbin is repre-

Mr. Coron is not radical at all, as I understand him. He is unquestionably right in what he has written. He does not want, nor do the hotel proprietors want the Hebrews here as a class. It is merely a mercantile question-not one of religion or morals. As a class the Isration—not one of religion or morals. As a class the Isra-clitics drive away another class to which we prefer to cater. There are hundreds of Hebrews we should be glad to eaterlain, and many of whom we have enter-fained. But, generally speaking, they are elashisu. The best cultured of American Israelites will come here ac-companied by the lowest class of foreign Jews. The latter class come aimost invariably in groups, cat their mischeon in the Pavinon and then come to the piazza and six and pick bacir feeth during the rest of the evening. Others come and occupy tables on the piazza for duner and, after eating one bour, sit for two noises more insteading to the music walle persons anxious to disc stand behind their chairs."

their chairs."

"Weil, do not lil bred Americans do the same I"

"Weil, do not lil bred Americans do the same I"

"Not in the same way. A rudely-behaved American is noisy and generally thusy. We simply take him in hand and have the police attend to nim. The proventation in the other case is that the Hebrew is simply inconsiderate of the comfort, not to say rights, of others, and white poorish I not absolutely disorderly. We can't expel him for we have no legal excuse for doing so."

"What do you do to keep them out of the rooms of the hotel?"

the hotel?"
"Very few have applied. We have never had more than those or four in the note! at any one time, and those we would not have had if we had not wanted "Have you resorted to no device to exclude them ?"

NO EXCLUSION FROM THE BRIGHTON. HEBREWS AS A CLASS NOT ORJECTIONABLE—EACH

GUEST TO BE TREATED ON HIS OWN MERITS.

James H. Breslin, one of the proprietors of porter for his views upon the subject of the exclusion of had nothing whatever to say about the action of the not throw stones. He is the same man who proprietors of Manhattan Beneh. As for themselves, on Black Friday achieved an unenvisible notoriety. had nothing whatever to say about the action of the proprietors of Manhattan Beach. As for themselves, they did not seel cailed upon by any injury to their business to discriminate against the Jews as a class. They had a large amount or money invested at Brighton and closwhere, and could not afford to ostracize a whole race for the obnoxious qualities of some of its momorrs. He believed they had the business sagnetry, and of course they reserved the right, to exclude from the hotel all such persons as they thought might injure its standing; but there were at present a humber of very respectable and desirable Hebraw guests in the house, and they would welcome others of the same than whole all said and an about the same than the propriets. We die bot, Mr. Breshn continued, "tunk it necessary to make a public all moments of the same than the proprietors of the said accompositions."

It was stated to Mr. Breshn by the reporter that it had been said at other places on the Island, and in New York, that the proprietors of the Elighton Hotel had all the senson discriminated against Hearway as a class, and had thus driven them to the Manhattan, Mr. Breshn both said that they did not believe their business interests had been in any way harmed by the Hebraws, many of whom they found to be thorough gentlemen and liberal patrons.

ROOM FOR ALL ON THE PIER.

ROOM FOR ALL ON THE PIER. NO CLASS TO BE EXCLUDED-DIFFERENT ACCOMMO-

DATIONS TO BE FURNISHED FOR DIFFERENT

O. B. Burnap, proprietor of the restaurant on the West Brighton Iron Pier, who was formerly at the Manbatian Beach Hotel, characterized the stand made by Mr. Corbin against the Jows as a result of an erratic impulse. He said they trouble a season or two ago with the lower classes of Jews at that place, but had succeeded in getting along Jews at that place, on an action of the with them. He thought that at a place so large as the Manhathan Hotel they ought to be able to se commodate all classes that came, making suitable distinctions for the differences in the with them. He thought that at a place so large as the Manhattan Hotel they ought to be able to ac commodate all classes that came, making suitable distinctions for the differences in the conditions of the greats. He intended to take care of all who came to his place; but his arrangements would be such that the pleane parties, and those who wished cheaper accommodations, would not clash in any way with guests who wanted and could pay for the best. There were Jews in different ranks and conditions, he said. The wealthier and more reined Hebrews despise thoroughly the Polish Jews, among whom are great numbers of obnoxious persons. A wholesale exclusion of the Jews as race Mr. Burnap thought a serious matter to undertake, and far from a sagacloss business experiment. He added: "I think Mr. Corbin has certainly 'put his fool in it." Mr. Burnap said it was a remarkable yet well-known fact that Jewiah hotel-keepers never had Jews for customers.

DIVERSE VIEWS.

HEBREWS WELCOMED AT CABLE'S AND AT THE WEST END-REMINISCENCES OF PROPRIETORS OF SMALLER HOUSES.

At Cable's Hotel, at West Brighton, Mr. Essiman, one of the proprietors, said that he had not thought of the matter until his attention was called to it by the reporter. They had many Hebrews among their guests, he said, and in the main found them wellbehaved and generous customers. He could see no just reason for excluding them from the hotel, and from a business point of view failed to see how it could be

Michael Norton, of Norton & Murray, proprietors of the hotel at Concy Island Potnt, said that they never had any trouble with the Jews as a class. In fact, many of their best customers were of that race. They were of the wealthier and better educated class. He was much surprised at Mr. Corbin's remarkable denunciation of Hebrews as a class, although he had heard that they flocked to Manhattan Beach and greatly annoved the proprietors of the noted by occupying the chairs and tables for hours without buying anything As for themselves, they welcomed all classes of people, whether Jew or Christian, so long as they were behaved. To others they said, we do not want you here

The views of a number of the keepers of the small hotels at the west end of the Island were obtained. Peter A. Trivou has kept a hotel fifteen years on the island, and formerly had a large number of Jewish customers. He said he did not like them, and knew that if they came in numbers to Concy Island they would rais it as a popular resort. He said tout Eath less its popularity by being overious with Jews. He indersed Mr. Cerbin's views. The J. was as a class, he thought, were immedest, untide, familiading and hoggish. He gave an instance in which some five or six grown people, Hebrows, with a number of chidren, went to his place and hired one-buthing suit, paying 25 cents for it. They then all at tempted to make use of one bathing-bouse, and hotels at the west end of the Island were obtained

trade.

The proprietor of the Point Comfort House, who has kept a hotel on the island since 1854, and he formorly had many Jews among his guests. Now they had left for the other end of the island. They never had taken poons at his house, and he had nothing especial against them.

Another hotel proprietor said that sometimes parties
of Jows and lest his tables of Jows and lett his tables looking as though a lot of page had been at them. Some or them were swinish in their manners, and he thought that if a landlord had many Jews in his house he would find it difficult to get

many Jews in his house he would had a distinct of any other ruests.

At the Hotel Windsor the proprietor said he did not object to Jews coming to his house, but if he had a hovel like the Manhattan he would not allow a Jew about his place. He wanted all well-behaved persons to patronize his hotel who were so disposed, but personally he w rather have one good, decent American for a suest than to have seventeen Jewa.

NO OSTRACISM ON THE BOATS.

THE MANAGERS OF JOHN H. STARIN'S LINE OF STEAMERS TAKING NO PART IN THE CRUSADE,

Whatever action Mr. Corbin might see fit to take, it would not affect their part of the business, which was merely that of carrying passengers to and from various points on the city front to Bay Raige, and they would always carry as many as came along, trespective of sector nationality, provided they behaved themselves. From any class which proved disorderly they had ample precautions provided in the presence of a detective and officers on each boat. They were aware that Mr. Corbin had held the opinion that the presence of a large body of a certain class of Jews was objected to by another class of customers he was desirous of attracting to Manbuttan Beach. They thought that if Mr. Corbin really did take the stand he was reported as baying taken, he would carry it out. He was credited with holding a controlling interest in the Manhartan Beach Company, and its action was generally directed by his will. It was also said that slace a steamer had been running from the foct of Whitehallst. to Bay Ridge in connection with the elevated railroad trains there had been a holiceable increase in the number of Rebrews who patronized that route. It was thought this increase came from the fact that many lived along Third-ave, and streets contiguous to it, and found this route the most convenient one by which to reach Concy Island. As all travelling this way were landed at the Manhattan Beach Hotel, Mr. Carbin may have noticed the increase of what he considers not the most desirable class of customers, at d in his annoyance may have given expression to his thoughts.

Hebrews as a class, it was said, had always been free patrons of Starm's different lines of steamers and excursions, and they would always be free to travel on them upon the same conditions as others of the travelling public. did take the stand he was reported as having taken, he

TALKS WITH HEBREW BANKERS. THEY EXPRESS INDIGNATION, BUT DECLARE THE ACTION OF MR. CORBIN BENEATH THEIR CON-

Prominent Hebrew bankers were of one ind in condemning the exclusion as unnecessary and wholly unjustifiable. They declared it an outrage of the religious freedom of America, and referred to the previous experience of Judge Hilton in forbidding the race the use of the Grand Union Hotel at Saratoga. Toey asserted with great confidence that Judge Hilton more than any one clse has had cause to regret that action; and they expressed the belief that Mr. Corbin would find the consequences of his exclusion of the Hebrews equally disastrons. Many of them desired that the matter should be allowed to pass without notice, saying that the act was beneath contempt. The feeling generally was one of mingled indignation and indifference. All unite in saying that the attack on the race was unprovoked and needless.

Eugene S. Ballin, of A. S. Ballin & Co., thought that the basiness of the company and the hotel had been less this year than in previous seasons, and that the owners were forced by their disappointment to seek some excuse for the diminished receipts. Out of sheer desperation they therefore bad attributed their ill-fortune to the patronage of the Israelites.

'The act is," he said, "under any circumstances a shame to the religious freedom of the Repubmay be regarded here in its true light, but in Europe it is used as an argument to discourage emigration, 'See,' they will say, 'the United States have excluded from their hotels the Jews; they will exclude next the Catholics. Do not go to a country where religious freedom is a mockery only and a snare.' In this city we know how little importance really attaches to this act of a madman, but in foreign countries it becomes mag-nified into a restriction of religious liberty. the Brighton Beach Hotel, when asked by a TRIBUNE re- great and peaceable race ! In what society does he move ! I do not know him ; never heard of him partie-Jews from the hotels on Concy Island, and that they ularly. But those who live in glass houses should

hot appreciate the spirit of the government under which he lives. But after all, it is of little a count—not worth a moment's notice. It should receive the slient con-tempt it riedly merits."

n, the New-York representative of La-

tempt it rically merits.

Joseph Aaron, the New-York representative of Lazard Febres, No. 50 Pinest, has been for two weeks a gnest at the Manhattan Beach Hotel. He has been absent for several days from the city. At the office it was said by the person who acts in his absence as the eigent of the firm that the action of Mr. Corbin would be a great surprise to Mr. Aaron.

"The marter has been to-day," he said, "the object of great indignation among our people. Mr. Corbin ans made the rule; let him abide by it. Judge Hilton attempted a similar restriction at Saratoga. He has mytied us tids year to be guests of his hotel, Mr. Corbin's efforts will be equally disastrous. He has expressed a wish not to have the Jows visit Manhattan Beach. They will no longer do so. Let the consequences rest on the author of the soilet. The Hebrews resolved, after their exclusion from the Grand Union at Saratoga, not to give their business to A. T. Stewart & Co. They maintained the resolve, except in rare cases where the goods wanted could be obtained only of that firm. The result is seen in the lessened business of A. T. Stewart & Co. I am told that their wholesale business is not one-fourth what it was before Judge Hilton attacked the race."

Island Wormser, of I. & S. Wormser, No. 1 Broad-st., said that he had paid little attention to the subject. "Some persons do not like the Jewes," he said, "and the Judy with whom I would associate; a not young a probably with whom I would associate; a not young an attention to this matter."

At the effice of J. & W. Seilgman it was said that the

vitigar person. Oh, no. I pay no attention to this neatter."

At the office of J. & W. Seilgman it was said that the
action of Mr. Coroin in excluding the Hebrews from
Manhattan Beach was of very little importance. It
would result, it was thought, in far more definage to him
than to the race he attached. The members of the firm
had not visited Mannattan Beach and thought they
could five, probably, without ever mying been guests of
Mr. Corbin. It was insisted that Mr. Corbin
was a connection of President Grant and was prominent in the transactions of Black Friday. His present
attitude toward the Hebrews might recall, it was said,
the transactions of that day, which probably were not a
pleasant memory to Mr. Corbin.

TEMPERANCE AT OCEAN GROVE.

OCEAN GROVE, N. J., July 22.-The first session of the three days' convention of the Women's National Christian Temperance Union was held to-day in the great auditorium of Ocean Grove. At 9 a. m. the Rev. Dr. Palmer and wife held a prayer and praise service. A consecration meeting was also held in the Young People's Temple. Another meeting took place at 16:30 a. m. in the auditorium, when between five and seven thousand persons were present. Mrs. Lathrop, of Michigan, said that she loved Ocean Grove, but the curse of he social evil of intemperance is in Ocean Grove and Asbury Park. [Sensation.] "We do not see it in the form of reeling drunkenness, but it is in the bottom of travcall it medicine, but it is here. Last Summer a minister eiling trunks and in saichels. Some call it bitters, some call it medicine, but it is here. Last Summer a minister living here told me that in the cottage where he was boarding, in Ocean Grove, a lady took her wine every day at dinner in the presence of all, and in defiance of the flag of holiness that is floating over us. There are many things in the trunks in cottages and hotels beside wardrobes. The doctors tell you that brandy is a good thing to take after bathing, and some of you do not dare to go away from hone without taking some of it with you for fear you may be ill upon the road. But you can live entirely without it. The Women's Temperance Union has become so numerous that they can tone thinger-tips across the concinent, and they are asking the women here to piedge taemseives never to touch liquor. There is another kindred vice i want to speak of—that of tobacco. We women have only a few days to stay here, and we want to get the seaar just as Goo made it. Now, gentlemen-smekers, won't you give us women a chance for a breath of pure air? You may say, "Why don't you go to the boys and tell them to stop it? How can we do it, when the ministers of the Gosper-smoke their eigars after they leave the pulpt, and again before they go to sicep at hight, and when you, brethren, smoke here in Ocean Grove? [Sensation.] Can you ask the young men of the country to be clean when you are spitting out your life and deceive into a spittoon it press for No.' No! No minister can use tobacco without some time feeling a terrible condemnation of himself before God?

The other services of the day consisted of a Cuildren's Meeting, held in the Young Poopie's Temple, under the direction of Mrs. Wiltenmey or, president of the Women's

The other services of the day consisted of a Calidren's Meeting, held in the Young People's Tempte, under the direction of Mrs. Wittenmeyer, president of the Wemen's National Christian Temperance Union.

At 8 p. m. the largest meeting ever held in Ocean Greve, except at the camp-meeting Sinday services, took place in the adultorium. Addresses were made by

took place in the auditorium. Addresses were made b Mrs. Youmans, of Canada; Mrs. Wittenmeyer, the Rev Dr. E. H. Stokes, and others.

CENTRAL PACIFIC RAILROAD ELECTION. SAN FRANCISCO, July 22,-The annual meet-

ing of stockholders of the Central Pacific Ralfroad for the election of officers was held to-day. The vote cast was very full, nearly all the Eastern stockholders being represented by proxics. The vote resulted in the elec-On inquiry yesterday at the office of John H. Starm's line of steamers which run in connection with the Manhattan Beach Railroad from Bay Ridge, it was stated that they knew of no action being taken by Mr. Corbin to stop the Hebrews as a class from enjoying the privileges of the Manhattan Beach Road and Hotel RAPID TRANSIT REPORT.

NO FURTHER ACTION.

A DEFENCE OF THE COMMISSIONERS' ACTION BY MR. FILLEY-REPORT OF THE CORRUPTION COM-MITTER OF THE BOARD OF ALDERMEN-INTER-EST IN THE UPPER WARDS. The Rapid Fransit Commission did not send its

applemental report to the Common Council yesterday; consequently Mr. Roberts was unable to introduce his preamble and resolution. Commissioner Filley sent a letter defending the course of the Commission, but it was not read. The committee appointed to investigate Alderman Sauer's charges against Alderman Haughton reported that the charges had been withdrawn, and Mr. Haughton said he was satisfied. At a meeting of property-holders in the annexed district a committee was appointed to urge the Common Council to reconsider its action.

DISCUSSION IN THE COMMON COUNCIL. THE SUPPLEMENTAL REPORT NOT YET RECEIVED-COMMISSIONER FILLEY'S COMMUNICATION-THE

SAUER-HAUGHTON CONFLICT AT AN END. The Board of Aldermen did not receive the supplementary report of the Rapid Transit Commissioners yesterday. President Mott said that a commissioner informed him that the report was not in print, although printed slips were furnished the press several days since. Alderman Morris and Alderman Roberts were unable to offer their resolutions on the subject because it did not properly come before the Board. President Mott asked to have read a letter from Commissioner Filley in explanation of the action of the Commissioners, but objection was made by Alderman Morris, and it was not read. Mr.

made by Alderman Morris, and it was not read. Mr.
Filiey, in his letter, says:
I see by several of the papers that there is a decided effort to make it appear that our Commission takes the position that the action of the Board of Aldermen was of no use; that they had no power to refuse their consent, etc., etc. This is a mistake, We do not say this. Our only criticism is that they acted hastily, without the information necessary for a proper understanding of the subject which our report of the terms, conditions, requirements and specifications now gives, a copy of which will be handed you to-morrow, and which will enable every one to judge if our action is based upon the public interest. Should the companies be organized to construct the various routes, I hope the proper consent may be given when needed.

Alderman Roberts, chairman of the committee

Alderman Roberts, chairman of the committee appointed to investigate Alderman Sauer's charges ngainst Alderman Haughton, made a report. He said that the charges were entirely withdrawn by Mr. Sauer and denied by Mr. Haughton, and therefore the committee considered it unnecessary to make any elaborate report.

Alderman Haughton then said: "I don't know as I can properly add anything to what I have already said on the subject when the charges were made by Alderman Sauer that I was controlled by improper motives. Living on the line of the proposed road, and knowing as I do the immense damage that would be done the property there, I was led to oppose this infamous and outrageous scheme presented by five men supposed to be honest and respectable. Why were those men appointed, and what were they appointed to do? Why did Mayor Cooper take five or six days to select those five commissioners ? Because he wished to be careful in appointing competent persons to lay out rapid transit routes above Harlem River. The first thing we knew those high-toned, honorable and very respectable and esteemed gentlemen sent in a report covering some of the best streets in the city. I find now that these Commissioners--

President Mott-I will have to call the Alderman to order, the report of the Commissioners not being before the Board.

Alderman Morris-I ask that unanimous consent be given Alderman Haughton to proceed. Alderman Burns-I object.

Alderman Morris-This subject cannot be discussed too much, and I move to suspend the rules in order that Alderman Haughton may proceed.

The motion was carried by a vote of 15 to 6, and Alderman Haughton resumed: "I did not care to say much more on the subject and am sorry to put the Board to so much trouble. The Rapid Transit Commissioners have said that our action was not tinal, and they look to future Boards of Aldermen to carry out this scheme. I have no misgryings as to the future. The seal of public condemnation is to the future. The seal of public condemnation is too strongly and too deeply set on this scheme for any future Board to undo our action. I have thought it necessary to give the reason why I made my motion to discharge that committee from consideration of the Rapid Transit subject. The impression was abroad that we were to be influenced by a money consideration. I heard such unpleasant rumors on the street and everywhere. The impression has been abroad for many years that the class of men who come to this Board can be bought and sold like sheep by those corporations. I feit that I wanted to show the public that I was not governed by such consider public that I was not governed by such considerations. I desired to put myself on record, and therefore I made the motion. I was as much surprised as any one could be by the action of the Board in so

for I made the motion. I was as male surprised as any one could be by the action of the Board in so strongly supporting my motion. I am proud, however, that such an infamous outlage was stamped on its face in so public a manner. I was not disturbed by the charges made against me, remembering the old saying, that the shot from the pistol of a disnonest man never strikes an honest one. I thank the committee for their report."

Alderman Burns—"I am assuming a delicate position in what I am going to say, because of the abscuce of that member to whom I refer. He deserves credit as an honest man, because he went before the committee and honorably withdrow the charges he made. He did not intend to make any such charges. Now about that charge or impression which my friend says is abroad, that we go about with our hands open and that the Aldermen of this city are corrupt, that impression will be in existance when we are gathered to our fathers. That charge will not make us blush."

biush." Aiderman Haughton—"It won't make you blush,

Alderman Haughton sertainly, "Alderman Burns-"No, certainly,"

Alderman Shields-"I desire to say a word in favor of the gentleman who, I think, has been unfavor of the gentleman who, I think, has been unfavored by Alderman Haughton in his leastly referred to by Alderman Haughton in his leastly referred to by Alderman Haughton in his leastly referred to by Alderman Haughton in his certainly. saying about the pistol shot of a dishonest ma

saying about the pistoi shot of a dishonest man. I have known that gentleman for four years and know him to be a brave, honest man."

Alderman Haughton disclaimed any intention to reflect on Alderman Sauer. The report of the committee was then accepted and the committee dis-

charged.

The report of the committee to whom was referred the complaints of residents on Greenwich-st, of the blockading of the street by the cievated railway company was read. It directed the proper officials to prosecute the road unless the matter was remeto prosecute the road unless the matter was reme-died. The report was adopted. Alderman Jacobus moved to adjourn until August 5, which Alderman Saields amended by making

S, which Aderman Sheins americae by making September 5. Both motions were lost, the first 11 to 10 and the second 12 to 9.

Alderman Roberts moved to pass over the Mayor's veto the ordinance to reduce the hack license, which was adopted by a manimous vote.

ACTION IN THE ANNEXED DISTRICTS. MEETING OF PROPERTY-OWNERS AT THE JEROME PARK CLUB HOUSE.

At the Jerome Park Club House, in the northern part of the Twenty-fourth Ward, of this city, a meeting of property-owners and taxpayers, numbering about 100 persons, was held yesterday at 5 p. m. To the east for the meeting were appended the names of H. B. Claffin, George and Pierre Lorillard, Robert Livingston, W. W. Niles, Leonard Jerome and others. The object of the meeting was to adopt measures to insure the construction of rapid transit lines in the Annexed

Leonard Jerome, who was chosen chairman, said; "The Rapid Transit Commissioners' report has been re-meted by the Aldermen. I have seen Aldermen Marris, Mott, Kelly and others to-day, and all are willing to approve of the lines in this district. I asked them to ostpone action on the second report of the Commissioners for a week, and I think they will do .o. I can say on the authority of the best of counsel that the Common Council can reconsider that the Common Council can reconsider its previous action." Mr. Brock then offered reso utions to the effect that the routes laid down in the intions to the effect that the routes laid down in the Twenty-third and Twenty-fourth wards were approved, and that a remnittee be appointed to walt upon the Board of Aldermen, and to urge the reconsideration of its former action in regard to these lines. George Opplyke, H. B. Cladin, C. W. Bathgate, W. W. Niles, R. A. Brick, Leonard Jerome, and A. A. Levey were made members of the committee.

An Irishman at one point of the meeting jumped upon trouved.

nd inquired.
"Has Vanderbilt anything to do with this road at all?

"Has Vanderbilt anything to do with this road at any Thin Fan opposed."

Ite also deared that the meeting was held in "too aristocratic a place," and said that it would be better to hold it in "Tim" Daffy's hotel. A committee composed of C. W. Bathgate, J. R. Traphagen and S. M. Pardy was appointed to scenre if possible the gift of the right of way for the route running from Eighth-ave, up Jerome-ave. J. R. Angel, Thomas Morris, F. G. Brown, E. B. Welch and F. E. Folz were appointed to further the interests of the Fordham-ave, route. The meeting was then adjourned to meet in the same place August 1, at 5 p. m. Mr. Jerome informally announced that he was authorized to state that the right of way for a distance of

two miles over the property of the Lydig estate, of the Lorrillards, of George Opdyke and of the Jerome Park Association had been given already.

RACING AT SARATOGA.

ALL THE FAVORITES SUCCESSFUL.

L. LORILLARD CAPTURES ALL THREE PLACES IN THE FLASH STAKES AND WINS TWO OUT OF FOUR RACES-FERIDA, SENSATION, CHECKMATE AND TROUBLE THE WINNERS.

[FROM A SPECIAL CORRESPONDENT OF THE TRIBUNE.] SARATOGA, July 22 .- The second day of the racing meeting was favored with good weather, large attendance and keen interest. There were no startling events like the defeats of Spenathrift and Bramble on the first day, but three of the four contests were very attractive from the number and merit of the horses that took part. All the favorites won. G. L. Lorillard took the honors of the day, capturing both the stakes, and getting all three places in a race for the third time in the bistory of his stable. It seems now likely that all the two-year-old stakes will be little better than " walkovers" for his superb coit Sensation. Western and Southern betting men exulted over the success of Checkmate in the third race, as he overcame a fine lot of horses and he had been backed freely. More time than usua) was consumed by the racing, which was not over until 3:15 o'clock.

Conspicuous excellences of the Saratoga course are the character of the attendance, great care being taken to exclude disreputable persons, and the admirable starting of E. M. Johnson, of Cincinnati. He rules the jockeys firmly, and not being a paid starter is not in awe of the rich owners. His work is refreshing, especially when compared with the recent sad failures in that line at Long Branch.

The sport was opened with the Alabama Stakes, 11s

Observanda. 125 129 75
The long delay almost fuevitable in dealing with flery, undisciplined youngsters occurred. After many breaksways the start came, stirring lots suddentife and excitement the multitude which had wearied of watching the futile prancing and rushing about of the fractions animals. The breaking of the stirrup leather of Lake Blackburn caused a part of the waiting. When the start did come it was somewhat uneven, Rosalie getting the greatest stenefit. Sensation, with one of his magnificent barsts of speed, dasfied through the lot and caught Rosalie. The two strove mightly for the lead. It they had not both come from the same stable their struggle would have excited great enthalsalism. Not for an instant was there any doubt that G. L. Lerillard would get all three places, as he did in the July Stakes at Long Branch both in 1873 and 1879. It was a question whether he would get all three places, as he did in the July Stakes at Long Branch both in 1873 and 1879. It was a question whether he would get all three places, as he did in the July Stakes at Long Branch both in 1873 and 1879. It was a question whether he would get all three places, as he did in the July Stakes at Long Branch both in 1873 and 1879. It was a question whether he would get all three places, as he did in the July Stakes. Rosalte to all appearances came in second, but the judges gave the place to Grenada, making Rossile to all appearances came in second, but the judges gave the place to Grenada, making Rossile in General and Grenala.

raced as hard together as if they represented three different owners. Sensation was first at the end in 49% seconds. Rosalte to all appearances came in second, but the judges gave the place to Grenada, making Resalte thrid. It was very close between the two. Luke Blackburn was only a head behind the third. Feruchife being fifth, Minos sixth, Observanda seventh, and Flibberg libbet last. Matual pool tickets paid \$6 20 cach.

Sensation is rightly named. He has won thrice, every time he has started, and in such style as shows him to be in all probability the best young racer either East or West. In him G. L. Lorilard seems not unlikely to have a greater even time the great Duke of Magenta.

A dozen ran in the free handicap, 114 miles, for a purse of \$400; G. L. Lorilard's geiding Monitor (3 years, 102 pounds) ind William's gelding Checkmate (4 years, 108 pounds) leading the betting. The other starters were Reed's mare Boune Wood (4 years, 108 pounds). Bell's gelding Dan K (5 years, 111 pounds), Bell's gelding Dan K (5 years, 111 pounds), Breit's horse Governor Hampton (5 years, 111 pounds), Brief's horse Governor Hampton (5 years, 112 pounds), Dwyer Brothers' gelding Warfield + years, 107 pounds), Schwartz's horse Mark 1/2 (4 years, 107 pounds), Schwartz's horse Mark 1/2 (4 years, 107 pounds), Pietre Lorilard's mare Bettha (4 years, 107 pounds), and Baldwin's filly Jennie B (3 years, 170 pounds), and Baldwin's filly Jennie B (3 years, 187 pounds). The betting varied, only two choices, Monitor and Checkmate, being sold out in some pools, and the rest oeing grouped together in the field. Following are some of the peeds sold:

Checkmate.

\$275 \$225 \$250 Monitor and Checkmate, being sold out in some pools, and the rest oeing grouped together in the field. Following are some of the peeds sold:

Checkmate.

\$275 \$225 \$250 Monitor and Checkmate, being sold out in some pools, and the rest oeing grouped together in the field. Following are some of the peeds sold:

Checkmate.

\$275 \$255 \$250 Monitor behaved most viciously,

pages rapidly behind him. Then Checkmate came upswiftly but easily, and Monitor kad to yield. Checkmate
was not whipped nor spurred, while Monitor received a
heeral application of cold steel and hot lash. Checkmate
won by haif a length, Monitor second, Jennie B. six
lengths behind Monitor, Bertha fourth, Mark L. fith,
Governor Hampton sixth, and the rest following up.
Mutual pool lickets were worth \$15-10 cach.
Only two took part in the steeplechase over the fractional course, for a purson \$500-Reed's golding Trouble
(aged, 162 pounds) and Hart's horse Redding (6 years,
137 pounds). Trouble brought \$350 in the betting
to \$100 or Redding. The affair was made a mere farce
by Redding beiting four times at the water jump.
Trouble cantered over the course alone. There are very
few good jumpers now in training in this country, and
the prespect of inscressing steeplechases at Saratoga et of interesting steeplechases at Saratoga

prespect of thicresting steeplechases at Saratog season seems very poor. -morrow there will be an extra day, with four races To-morrow there will be an extra day, with four races. Pools on to-morrow's extra races were sold to-might as follows: One mile dash for \$300, with weight allowances for those not winning this year and mondens—C. Rece's Bonne Wood, \$25; E. J. Baidwin's Jennie B. \$23; P. Lorillard's Zoo Zoo, \$17; J. G. Nelson's Lanewood, \$16; J. W. Bell's Frankin, \$15; T. Purycar's Clifton, \$5.

Mile and flyo furlongs, purse \$500; sweepstakes for all ages—weight allowances for beaten horses and madeis—J. T.4 Williams's Checkmate, \$80; G. L. Lorillard's Una, \$45; G. B. Morris's Min(Zace, \$25; L. Hart's Bonne Carrie, \$16.

Una, \$45; G. B. Morris's Minizace, \$20; L. Harva Bou-hae Carrie, \$16.

Three-quarters of a mile dash, for maiden three-years-oles for \$300, colta 110 pounds, filius 165-J. G. Net-son's Corelia, \$25; C. Reed's Countessa, \$21; C. W. M. dioger's Den Clinch, \$16.
Seiling race, one inde and a quarter, purse \$350. T. Puryear's Namine M., \$105; Dwyer Erothers' Charlie Gerham, \$100; J. H. Harbeck's Simoom, \$60; T. W. Doswell's Powhatan, \$5.

RAILROAD CONTROVERSY.

was filed in the Cierk's office of the United States Cu nit Court to-day by William Sohier, a resident of Masschusetts, against the Pennsylvania and Junction Rail road Companies, asking that they be restrained from deintog to perform the duties required of them by their charter, or refusing to transport freight or passengers over the Junction Road intended for other lines. The oni relates that the road was constructed by the Pennsylvania, the Philadelphia, Wiimington and Baltimore sylvania, the Panladelphra, Winnington and Baltimore and the Reading Railroad Companies, in order to avoid running through populous parts of the city, and prays for reiter in the particular mentioned. Similar suits were begun several months ago by the New-J-risey Con-tral and the Baltimore and Ohio Railroads, and the argu-ments of counsel have been forwarded to Jodge McKin-non. The present bil, it is understood, has been filed upon the part of the Philadelphra and Reading Railroad Company. THE COURTS.

INSULATED TELEGRAPH WIRES. ANOTHER DECISION IN FAVOR OF THE GEORGE B.

SIMPSON PATENT.

yesterday, in the United States Circuit Court, in the suit brought by Clinton G. Colgate, assignee of George B. Simpson, against the Gold and Stock Telegraph Company. A motion had been made for a preliminary inunction to restrain the infringement of letters patent granted to George B. Simpson May 21, 1867, for an imrevement in insutating submarine cables. The patent had been sustained as valid in a suit brought by the same plaintiff against the Western Union Telegraph Company. The patentee claims the combination of gutta percha and metallic wire in such form as to incase a wire or wires, or other conductors of electricity, within the non-conducting substance, gutta percha, making a submarine telegraph cable at once flexible and convenient, which may be suspended on potes in the air, submerged in water, or buried in the earth, for atmospheric and submarine telegraphic communication, and for other clectric, galvanic and other uses. Infringement by the defendant was not denied, and the sole defence to the motion was a denial of the alieged novelty of the invention. Referring to this fact, Judge Blatchford in the decision says: "Under such circumstances, when the patent has been sustained on final hearing against the largest and most wealthy telegraph corporation in the country, after exhaustive research and full testimony and argument, and when, as here, the Western Union Telegraph Company is shown to own nearly one-half of the capital stock of the defendant, and the relations of the two companies are shown to be such that the defendant is substantially a part of the Western Union Telegraph Company, it is cumbent on the defendant, in adducing any new mat ter in this case, on this motion, to make it extremely probable, at least, that if such new matter had been

paut of the Western Union Telegraph Company, it is record and fullures in that line at Long Branch.

The sport was opened with the Alabama Stabes, 14s miles, for the year-old illies, \$100 entranes, \$10

of No. 43 Ormond-place, against Mrs. Tekea Hilgeman, of No. 878 Eighth-ave., this city. The defendant's maiden name was Krolekmetz, and she has been in this country about ten years. She met Kryckie at a ball in this city in 1875, when she lived with Mrs. Mettrach in Grand-st. Brooklyn. Kryckie afterward visited her there and urged her to marry him. In the following year she visited Germany and letters frequently passed between them. On Miss Kroickmetz's return to this country she was met at Castle Garden by Kryckie, who, it is alleged, compelled her to go with him to a room in Essex-st. where he kept her locked up for three days for the purpose of compelling her to consent to marry him. succeeded in escaping, however, and went back to Mrs. Mettrach's house. Waile there one eveving she was shot at four times, one of the balls wounding her

shot at four times, one of the balls wounding her Kryckie was arrested as her assailant, and was tried in the Kings County Court of Sessions for felonious assants with intent to kill. He was convicted and sent to the State Prison for five years.

Upon his release Kryckie obtained a warrant for the arrest of the defendant, who had in the meantime become Mrs. Hilsoman, on a charge of perfury, alleging that she had given false testimony against him on his trial. Kryckie is thirty-six years of age. He testified yesterday that on April 7, 1876, he went to Mrs. Mettrach's house. He was very much excited because Miss Kroleimeiz had promised in writing to marry him, but had broken her promise. He threatened to shoot himself, and going out into the street fired off a pistol. He intended to kill himself, but failed to do any harm. Several letters written by the defendant to Kryckie in January and February, 1876, were put in evidence. In one of them she said: "Oc, how I would like to sweeten your life. I remain true to you, dearest Theophilus. You need not doubt it, and I assure you that I desire to marry you." In another: you, dearest Theophilus. You need not doubt it, and I assure you that I desire to marry you." In another: "Dearest heart, if I ever lose you, no money will ever satisfy me. I am sure that there is nobody else in the world that loves me more than you, and you can be sure that I will love no one else but you till I am dead. "
I will seen be your wife." "I start," she said in another letter, "with great pleasure for your home, because I am sure your heart is in treuble waiting for me. I press your hands with vigor, and remain your faithful friend till death." After hearing the testimony, the defendant's counsel asked for the discharge of his client, Justice Semiler reserved his decision.

A DIVORCED WIFE'S DEMAND. Mrs. Jane E. Erkenbrach, who in 1869 ob-

tained a judgment of devorce against her husband, George A. Erkenbrach, recently petitioned the Court of Common Pleas for a judgment of alimony, and yesterday Chief-Justice Daly granted an order referring the case to Richard O'Gorman. In her first suit Mrs. Erkenbrach btained the custody of her three sons. In her recent etition she says that she has been teaching and writing or a living, and has frequently had to call on he riends for aid. She has been unable to support herself, and the defendant has not given her any assistance. Her and the defendant has not given her my assistance. Her house at Mount Vernon is tow is process of foreclosure. She says that she has reason to believe that the defendant brought back considerable money from South America, where she is informed ne fled in 1867 in consequence of a defancation of \$66,000 from the Central National Bank, of New-York, of which he had been teller. She states that some settlement was made with the bank, and that Erkenbrean told her subsequently that he had given the bank a flettions note for \$29,000 in order to keep her from getting any assistance from him. She further says that when they separated he had properly which he concealed from her and from the touch; that he is in the chemical business at Hoboken, and that contrary to the decree of the Court he has enticed her eldesi son away from her, and taken him into hits business against her wish.

THE WINDSOR HOTEL PROPERTY.

PHILADELPHIA, July 22 .- A bill in equity The report of John H. Strahan, who was appointed as referee in the suit of William H. Daly as trustee against the Windsor Hotel Company and others, to settle the amount due the trustees on the bonds and norigage of the Windsor Hotel, was confirmed yester day by the Supreme Court, and the City Chamberlain was directed to pay the amounts named in the order. The report said that the sum of \$129.577 13 was in the The report said that the sum of \$129.577 13 was in the hands of the Chamberiam, being the surplus money arising under the decree of the foreclosure said in the action of Peter Goeset against John T. Daiy and others. The re-cross and curiber that there were 150 bonds, all owhich were produced before him. James J. Belden owhed 121, and William H. Daiy, as trustee of the Windowser Hotel Company, twenty-five, the rest being held by other persons. They were all obtained by purchase. Mr. Strahan reported that there should be paid to Jacob K. Lockman as exceutor, \$3,538 84; to Powers Brothers, \$16,120; reserved to abide the result of the claim of Wetmore and others, \$17,500; to John Davidson, \$2,-

127 07; to William H. Dalv as trustee, \$750; to L. A. Lockwood, \$709, and to James J. Belden, \$87,281 05.

A WIDOW SEEKING DOWER RIGHT. Mrs. Emma Lo Nigro has begun seven suits Mrs. Limina Lo Nigro has begun seven suits in the Kings County Supreme Court to recover a dower interest in certain property in Brooklyn, situated at Fifth-ave, and Eighteenth-st., on Eighteenth-st., at Nineteenth-st. and Fifth-ave., and at Nineteenth-st. and Judge Blatchford handed down a decision Fourth-ave. The plaintiff is the widow of Saivatore Lo. Nigro, an Iralian musician, who died in January. They were married in 1857 and had five children. Lo Nigro was at one time the leader of the band at the Brooklyn was at one time the leader of the band at the Brooklyn Navy Yard, and also of that at West Point. He was the bandmaster of a regiment during the war. Afterward he purchased property in Brooklyn, which is said to have been yalled at one time at \$150,000\$. The pointed refused to live with her husband upon finding that he was intimate with another woman, and refused to consent that any of her husband's property should be disposed of. He gradually conveyed it to other persons, however, the woman with wom he lived signing the deeds as "Mary Jane Lo Nigro." It is tais property that Mrs. Lo Nigro now seeks to recover her dower interest in.

A SUIT ABOUT MISSING BONDS.

W. C. Thompson, of No. 160 West Fortyeighth-st., has begun a suit in the Brooklyn City Court to recover \$1,475 from Michael Malone, a plumber, of No. 855 Myrtie-ave., Brooklyn. The plaintiff sues as the administrator of Edward Thompson, who died in November, 1878, and alleges that certain bonds and securities belonging to the estate were lost or stolen, and came into the possession of the defendant. He also charges the defendant with converting a part of these securities to his own use, and with refusing to give any of them up until he was paid a reward of \$100. Then, it is alleged, he retained a part of them, and afterward paid to the plaintiff \$925 in Instalments upon the bonds which ha (the defendant) had sold. The suit is brought to recover the value of the bonds not yet returned, and the amount demanded includes \$500 for the services of detectives in tracing the missing property. The defendant has been arrested on an order granted by Judge Neilson, and held in \$1,000 ball. Malone claims that the securities were found in Heary-st. between Union and Sackett-sts. Brooklyn, fast November, and, he sold them for \$1,490.

CIVIL NOTES.

The report of Nathaniel Cox, the referee in the divorce suit brought by Catharine Girard Rows against her husband, George Carns Rowe, was confirmed yesterday by Judge Van Hoesen in the Court of Common Fleas. The report was in favor of the plaintiff, and a judgment of absolute divorce was granted.

In a petition for a writ of habeas corpus presented to Justice Potter, in Supreme Court, Cham-bers, yesterday, for the custody of his children, Lawrence McNamara claimed that his turee children were illegally kept from him and were restrained from their liberly by his wife, Sarah McNamara, who had no menas of support, and was living with another man. The writ was granted, and was made returnable this morning.

In the suit of the Chicago, Milwaukee and St. Paul Railway Company against Russell Sage, which was tried before Judge Van Hoesen at the Special Term of the Court of Common Pleas, in March last, Judge Van Hoesen has rendered a decision in which he holds that the plea of the statute of limitations, set up by the defendan, is available to him, and a bar to the suit, and he has therefore dismissed the complaint, except as to a small claim, in respect to which he directs a reference.

Judge Sedgwick, in the Superior Court, yesterday rendered a decision dismissing the com-plaint in the suit of Elizabeth Cogswell against the New-York, New-Haven and Hartford Railroad Company. The complainant sought to restrain the company from using their engine-house near her house, because of the nuisance created by the smoke, buse and claders. Judge Sedgwick discussed the legislative act under which the engine-house was built, and dismissed the complaint on the ground teatthe rairond company had full power to build the house where it is.

Justice Potter, in Supreme Court, Chambers, issued an order of reference yesterday, in the matter of the application of the New-York City and Northern Rallway Company for the appointment of commissoners to ascertain and determine the compensation to be made for crossing, intersecting, joining and uniting with the railroad of the Spuryten Duyyii and Port Morris Railroad Company and the New-York Central and Hudson River Railroad Company, and the points and manner of such crossing. Justice Potter appointed and manner of such crossing as referee James Matthews.

CRIMINAL NOTES.

Mrs. Elizabeth Bayer, of Morrisania, on the might of July 16, in an alterestion in her own house with John Fritsch, age nineteen years, slightly wounded him in the hand with a fork. Fritsch then knocked Mrs. Bayer down and kicked her in the abdomen. The infured woman was taken to a hospital. Fritsch is under arrest. Orders of nolle prosequi were entered yes-

terday in the Kings County Court of Sessions on the numerona indictments against Mrs. Ellen E. Peck, charging her with obtaining \$19,000 from Lyonee Linger on false presences. Mrs. Peck was released, but was at once rearrested by Detective Field, of District Attorney Pheips's office, on the charge of detranding B. T. Babbitt of a large sum of money.

Ellen E. Peck, who was arrested in Brooklyn yesterday by Detectives Field and O'Conner on her discharge by Justice Moore, and who was brought to tenseity on an indistinent charging her with obtaining money by fulse prefences from B. T. Babbitt, was ad-mitted to bail in the District-Attorney's office in the af-ternoon. Richard W. Peck, of No. 307 Futmam-ave., Brooklyn, became her bondsman in \$2,500.

Justice Potter, in Supreme Court, Chambers, granted a writ of habeas corpus returnable this mora-ing, in the case of William Smith, John Ryan, Anna Bowers and Anna Grey, whom Caotain Burcholz ar-

Max Piser was before Justice Bixby at the Essex Market Police Court yesterday afternoon charged with abandoning his wife and refusing to contribute to with abandoning his wife and refusing to contribute to their support. It appears that Piser was arrested about three weeks ago, when on examination it was shown that he refused to support her because she would not embrace his religion and become a Jewess; she belonged to the Roman Catholic Church. Justice lixby yesterday called upon Piser to furnish \$500 ball in two sureties, to contribute \$3 a week to his wife's support.

Detective Price, of the Twenty-ninth Precinct, while passing the pawn-shop at No. 246 West Twenty-sixth-st., saw a thief named James McCaun, Twenty-sixth-st., saw a thief named James McCaun, aims "Little Mack," leaving the place. On seeing the detective the time's started on a run. Price followed and fixed a shot in the air. The furfilive threw away two watches and a chain in his flight. The officer fixed a second shot and then McCann surrendered. In his possession were found a silver waten, No. 31,481, made by Taffany & Co., also a silver waten, No. 31,481 and by David Taylor, of Liverpool, with a figure of a locomotive on the case. While taking McCaun to the stationhouse he made a desperate attempt to excape, and several of his friends surrounded the officer. Price again drew his pistor and fixed at the gang, but missed them and hit a liquor-shop window instead. McCaun was taken before Justice Murray yesterday afternoon and was remanded until to-day.

DECISIONS-JULY 22.

Supreme Court-Chambers-By Judge Potter.— Wills agt, Clark.—Motion granted and order signed. In the matter of Bannister.—Granted; craw and present order. In the matter of Kurt.—I wish to see counsel. By Judge Donohue.—Daly agt, the Windsor Hotel Company. Granted.

the matter of Kurz.—I wish to see counset.

By Judge Donohus.—Daly agt the Windsor Hotel Company,
—Granted.

Special Term.—By Judge Van Brunt.—Rasin, etc., agt.
Schroeder et al.; Marsop et al. agt. O'Neill et al.: Crum and
others act. Bliss and others; Holmes agt. Cornell, etc., Pindings signed. Van Pell, etc., agt. O'Neill's, St. John and another agt. Hawes and others.—Findings actived. Clark, etc.,

Beneville, etc.—Judgment for plaintid without costs. Livingston and another agt, Gorden and others.—Findings actived.

I allowance will be settled with decree; in the decree a blank
must be left for the costs of each defendant sol left the memorandom as to allowances be handed up with decree.

Circuit.—Fart I.—By Judge Van Brunt.—Levy agt. Unger
and another.—Judgment for the defendants, with costs to the
defendant Einit Unger against the planniff's complaint.

Samerior Court.—Special Term.—By Judge Scotg wick.
—Slawson art. Wafkins et al.—Case settled. Randall agt.,

Carnenter.—Order settled. Conswell agt, the New York and
New Haven and Hartford Railroad Company.—Complaint asmissed with costs; no allowance; opinion. Waitman et al.

agt. Horiton.—I do not think cutering a special indigment for
the amount of the declement is regular upon the report; report being contrined there is a complete adjudication.

By Judge Freedman.—Kinghorn agt. Wright et al.—Undertaking approved. O'Neil art. the Mayor etc.—Judgment
somed. Belmont, etc., agt. Fisch, etc.—Order for indigment
for the fact of the maximum and and the Mayor, etc., Stay agt the Mayor, etc., Stay

Common Pleas—Special Term.—By Judge Sonothenes.

Barroweithe.—Oraers granted.

Common Pleas—Special Term.—By Judge Sinuott.—

Maying Courl.—Special Term.—By Judge Sinuott.—

Maying Courl.—Special Term.—By Judge Sinuott.—

Maying Courl.—Special Term.—By Judge Sinuott.—

Merine Courl.—Special Term.—By Judge Sinuott.—

Marine Court-Special Term-By Judge Sinnott-Marine Court - Pecual Term - Develor stern agt. Kir vrnes agt. Broomet Bradlev agt. Decker; stern agt. Kir hompson agt. Kelley; White agt. Archibald; Chambe tt. Mather; Detaiclesen agt. Keller; Otte agt. Hause.

orders granted. CALENDARS THIS DAY. CALENDARS 1715 U.L. Court opens at logo a m. Calendar caled at 11 a. m. Nos. 4, 6, 9, 14, 17, 21, 22, 25, 28, 29, 30, 32, 25, 47, 36, 37, 55, 88, 92, 104, 106, 113, 114, 125, 146, 130, 144, 155, 157, 158

SUPERIOR COURT—SPECIAL TRANS—Preedman, J.—Court

opens at 12 m.—No day calendar.

COMMON PLEAS—SPECIAL TRAM—Van Hoesen, J.—Court
opens at 11 a. m.—No day calendar. ACCIDENTS IN JERSEY CITY.

Neal Corcan, a boy fourteen years of age, residing in Twelfth st., jumped from a train on the New-York Lake, Eric and Western Railroad at the Grove-st. erossing in Jersey City Monday afternoon, and landed directly lu front of a train going in the opposite direction. He was struck by the engine, which buried him twenty feet.